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September 10, 2024

VIA ECF

The Honorable Valerie Figueredo
United States Magistrate Judge
United States District Court for the Southern District of New York
500 Pearl Street, New York, NY 10007

Re: Harrington Global Opportunity Fund, Ltd. v. BofA Securities, Inc., No. 21-CV-761

Dear Judge Figueredo:

We write on behalf of Plaintiff Harrington Global Opportunity Fund, Ltd. (“Harrington”) in the above-captioned matter. Pursuant to the Protective Order in this action (ECF No. 111), we write to request approval to file under seal, and with public redactions, Harrington’s letter-motion seeking an interim extension, which references a motion to compel compliance with a subpoena served on a nonparty whose identity CIBC has designated as Confidential Discovery under the Protective Order.

The Protective Order provides that the parties “may designate as confidential for protection under this Protective Order, in whole or in part, any document, information, or material that constitutes or includes, in whole or in part, confidential or proprietary information or trade secrets of the Party or a Third Party to whom the Party reasonably and in good faith believes it owes an obligation of confidentiality with respect to such document, information, or material.” CIBC has designated the identity of the subpoenaed nonparty as Confidential Discovery, and Harrington therefore seeks to file its letter-motion under seal and with references to this nonparty’s identity publicly redacted.

Pursuant to Your Honor’s Individual Practices in Civil Cases, Harrington will file its letter-motion with proposed redactions and electronically file under seal a copy of the unredacted letter.

Finally, the below Appendix lists the parties and their counsel of record who should have access to the sealed documents.

Warshaw Burstein, LLP

Hon. Valerie Figueredo
September 10, 2024
Page 2 of 3

Respectfully submitted,

WARSHAW BURSTEIN LLP

By: /s/ Leron Thumim

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cc: All counsel via ECF

MEMO ENDORSED



HON. VALERIE FIGUEREDO

UNITED STATES MAGISTRATE JUDGE

DATED: 9-11-2024

Sealing of the relevant document, ECF No. 363, has been granted based on the arguments advanced by the Letter Motion at ECF No. 353. The Clerk of Court is respectfully directed to terminate the motion at ECF No. 362.

Appendix

The following parties and attorneys of record should have access to the sealed documents:

Plaintiff Harrington Global Opportunity Fund, Limited

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Meghan Hallinan
Matthew A. Marcucci

CHRISTIAN ATTAR

James Wes Christian
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Defendants BofA Securities, Inc. and Merrill Lynch Canada, Inc.

O'MELVENY & MYERS LLP

Abby F. Rudzin
William J. Martin

Defendants TD Securities, Inc. and TD Securities (USA) LLC

KING & SPALDING LLP

Jamie S. Dycus
David Lesser
Jenny Pelaez

Defendants CIBC World Markets Inc. (Canada)

DENTONS

Sandra D. Hauser
Stephen J. Senderowitz
Timothy J. Storino